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THE HON. SRI A. B. SHETTY :—" Yes, Sir. Several of them are awaiting improvements and extensions."

SRI K. ARANGANATHAN :—" Sir, the Hon. the Minister for Public Health was pleased to say that he would provincialize the Taluk Headquarters Hospital at Gingeee if I came forward with the offer of a ward. I can assure the Hon. Minister that I will give him a ward with 12 beds. Will the Government come forward to provincialize this Hospital, Sir? "

THE HON. SRI A. B. SHETTY :—" This question will have to be considered in the future."

Leasing out of waste lands in Malabar

* 1038 *Q.*—SRI M. NARAYANA KURUP : Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether the Collector of Malabar has taken any step in 1954 under section 52 of the Malabar Tenancy Act to lease out waste lands; and

(*b*) if so, the extent of lands so leased?

THE HON. SRI M. A. MANICKAVELU :—" (*a*) Yes.

" (*b*) Some applications received recently from the intending cultivators are under enquiry by the concerned Tahsildars and Deputy Tahsildars."

MR. SPEAKER :—" Questions over."

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—MOTION UNDER RULE 40 *RE* INSECURITY TO LIFE AND PROPERTY IN CERTAIN VILLAGES OF SOUTH KANARA.

MR. SPEAKER :—" The House will remember that the hon. Member Dr. Menon has given notice of a motion under rule 40."

* DR. K. B. MENON :—" Mr. Speaker, Sir, the grave disturbances that are reported from the three villages of Walur, Pananthoddy and Kodoth appear to have arisen out of the defamation suit that was filed against the ' Desabimani ', a Communist paper, by an erstwhile sympathiser of the Communist party.

9-20 a.m. " The disturbances that started on 1st January with the burning of a house in Walur subsequently took larger proportions and on the 3rd, seven shops were burnt and only one shop was left without being burnt. That is certainly a very suspicious matter. As a result of these disturbances, section 144, Criminal Procedure Code, was promulgated and I think it was withdrawn on the 18th. In the meanwhile, there were attempts to defy section 144, Criminal Procedure Code, also. There was also one murder which took place in one of the villages where one man was beaten to death. I am afraid that there was considerable neglect on the part of the authorities of that district. The Collector appears to have been timid and has not been acting properly and promptly.

My information is that the Sub-Inspector of that place was transferred at the instance of the Collector by the District Superintendent of Police. This transfer of the Sub-Inspector of Police, I understand, encouraged those who were using violence and has made the situation worse, in the absence of prompt action by the local authorities. My submission is that the Government should send a C.I.D. official to conduct an enquiry and get as assessment of the situation that is obtaining there. There is nothing at present going on there. But I am afraid that that quiet is more the quiet of a grave with so much of arson, loot and murder having happened. I, therefore, request again that the Government send a C.I.D. officer and get a complete report since I personally suspect that there is a conspiracy at the back of it."

(Sri T. C. Narayanan Nambiar rose to speak.)

MR. SPEAKER :—" Let hon. Member Sri T. C. Narayanan Nambiar wants to say a few words by way of personal explanation. The House should not take this for a debate. I may inform the House that hon. Member Sri T. C. Narayanan Nambiar gave a similar motion but at the request of the Hon. Minister he had withdrawn the motion. I have allowed the hon. Member to make a personal explanation."

SRI T. C. NARAYANAN NAMBIAR :—" I am sorry that hon. Member Dr. K. B. Menon—I will not say he has twisted—has attempted to connect the defamation case against *Desabimani* with the incidents connected with the three villages mentioned by him in the course of his speech. These incidents have nothing to do with the case against *Desabimani* which is now pending before the Court. Sir, in Kodoth village and . . ."

* SRI S. C. C. ANTHONY PILLAI :—" On a point of order, Sir. The hon. Member has been permitted to speak on the ground of personal explanation. Personal explanation means that it relates to the person in particular and not to the organization with which he is connected. Therefore, I would like to know whether the permission granted by the Chair is in order."

MR. SPEAKER :—" It is in order. Let hon. Member Sri T. C. Narayanan Nambiar be brief in his statement."

SRI T. C. NARAYANAN NAMBIAR :—" Sir, Dr. K. B. Menon, in the statement he made, has made a reference to promulgation of order under section 144, Criminal Procedure Code, in Kodoth village and the transfer of the Sub-Inspector of that area. The hon. Member as well as this House should know all the incidents connected with the promulgation of order under section 144, Criminal Procedure Code . . ."

(One hon. Member stood up.)

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MR. SPEAKER :—" I must inform the House that hon. Member Sri T. C. Narayanan Nambiar gave notice of a similar motion and at the request of the Hon. Minister he withdrew it because certain cases connected with these incidents are now before the Court and the matter is *sub-judice*. That is why, I have allowed the hon. Member to make a personal explanation."

SRI T. C. NARAYANAN NAMBIAR :—" With regard to the murder referred to by hon. Member Dr. K. B. Menon, all the parties have given statements including the Praja Socialist Party leader to the Circle Inspector of Police. I am myself coming from Kodoth village direct now. I had been in that village yesterday in connexion with a case . . ."

* DR. K. B. MENON :—" Sir, on a point of order. I have been accused of twisting facts. Is that also a personal explanation? I request to be allowed to answer . . ."

MR. SPEAKER :—" Let hon. Member Sri T. C. Narayanan Nambiar be brief in his statement. Let him not go into the merits of the case and let him refer to only things that affect him."

SRI T. C. NARAYANAN NAMBIAR :—" It is very unfortunate that I have to withdraw the adjournment motion I have given notice of in this connexion because the whole matter is now pending before the Court. The Leader of the Praja Socialist Party attempts to twist the affair in such a way as to justify the activities carried on by some members of his party and in connivance of the so-called Sub-Inspector of Police who has been transferred. It is only after the transfer of the Sub-Inspector of Police from that place that peace has been maintained to some extent. I will submit through you, Sir, to the whole House that I will welcome an enquiry by a high-placed official. Let a Committee of this House also go into the matter. Then only, Sir, all things connected with these incidents will come to light, and that is what I wish to submit."

SRI C. H. KANARAN :—" Sir, Dr. K. B. Menon has misrepresented the facts . . ."

MR. SPEAKER :—" Order, order. I am not going to allow a debate on this matter. Let the Hon. Minister for Finance make his statement."

* THE HON. SRI C. SUBRAMANIAM :—" I am particularly happy for the confidence expressed by both the members of the Communist Party and the Praja Socialist Party in a high-placed Police official. But, apart from that, the facts of the cases are as follows.

" In South Kanara district, in Kasargode taluk, Hosdrug sub-taluk bordering Malabar district, there are thirty-three villages where the Malabar Tenancy (Amendment) Act is applicable, and two political parties have been trying for obvious reasons to make the

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best out of the situation by making it appear that they were taking up the cause of landless labourers and tenants. One such village connected with that was Padne, a village in Hosdrug sub-taluk. At the instance of the Communist Party, an agitation was started as against landlords in April 1954. The police had to interfere and had to take action under section 145, Criminal Procedure Code, in two instances and under section 107 of the Criminal Procedure Code. By about July in 1954, the tenants and landlords had come to an amicable settlement which was not liked by the Communist Party. Therefore, the Communist Party could have no hold in Padne village and they were waiting for another opportunity to create trouble there. One such opportunity they got in Kodoth village in Kasargod taluk about 15 miles away from Hosdrug village.

"There is an ancient Nair tarwad owning the entire Kodoth village and also immovable properties in the neighbouring villages. 9-30 a.m. They pay to the Government an annual kist of Rs. 35,000. The tarwad however has been now partitioned of late and the Communists started their propoganda in Kodoth village from December 1954. That has led to all the disturbances and trouble there. A Kisan Sangh was formed early in December 1954 with a few tenants as members thereof. Subsequently, there had been disturbances and a breach of the peace was apprehended and that led to the passing of an order under section 144, Criminal Procedure Code, and Sri T. C. Narayanan Nambiar, an hon. Member of this House, was involved in it. That case is *sub-judice* and therefore I need not refer to that incident now. But that order expired on the 18th of January last and since the situation was still fluid, the order was extended for a further period of 15 days. All the incidents that are referred to by hon. Members relate to incidents that took place on the 29th January 1955 and on subsequent days.

"One, Kannan Mootha Chettiar of Kodoth village, aged about 63 years, is one of the oldest tenants of Kodoth tarwad. One of his sons, Sri Sankaran, has been made the Secretary of the newly formed Kisan Sangh in Kodoth by the Communists. The entire village belongs to Kodoth tarwad including house-sites. On 30th January 1955, at about 6 o'clock in the evening, Sri Kelu, the son-in-law of the aforesaid Kannan Mootha Chettiar, presented a written complaint at Hosdrug Police station. It was registered as Crime No. 18 of 1955, under sections 147, 341 and 380, Indian Penal Code. It was alleged that on 29th January 1955 night, one Badadka Krishnan Nair, one of the members of the Kodoth tarwad, with about 14 others trespassed into their house, caught hold of Kelu, tied him to a tree in front of the house and beat him black and blue and then the father-in-law and Sankaran managed to run away for their lives, that they broke open the wooden doors and looted properties including gold jewels worth about Rs. 1.000, 18 muras of paddy, vessels and cash of Rs. 200. It was also added that they were afraid of losing their wooden materials stocked by

them for constructing a house by them. This report was got prepared through their party, viz., the Communist Party at Hosdrug and presented at the station. Investigation was taken up by the local police and because of the prior back-ground, the Inspector took up personal investigation.

" Apart from the presentation of the complaint, petitions were presented by K. P. R. Gopalan Nambiar, President of the Malabar Kisan Sangh and Sri Ambu Nair, Secretary of the local Communist Party, to the District Superintendent of Police. He directed the Deputy Superintendent of Police to make investigation and personal enquiry into the matter. After elaborate enquiry, it was found that this incident was exaggerated and the incident as a matter of fact related to a simple assault in respect of one person. That has been exaggerated into one of loot, dacoity and all those things. It was found in the course of investigation that this complaint was given for the purpose of getting into trouble Bedadka Krishnan Nair who was one of the members of the Praja Socialist Party and Bedadka Krishnan Nair seems to be a very influential person and respected by all the parties in that locality. It is for the purpose of bringing him into trouble that this complaint was given with exaggerated version of the incident that took place. Simple assault being a non-cognizable offence, police could not interfere in that and therefore no further action was taken.

" After that, however, representations were made to the police when the Collector and the District Superintendent of Police visited the place and at that time these incidents were further exaggerated with further contradictions with regard to the incidents that were alleged to have taken place on 29th January 1955. Under these circumstances nothing could be done and the parties were left to take their own action in regard to the simple assault.

" With regard to the actual state of affairs on 11th February 1955, the Collector and the District Superintendent of Police had personally visited the place and made local enquiries questioning many of the persons. At that time there was no fear of any further incidents taking place and that was why they have made the report that there is no possibility of any further incidents taking place, unless, of course, it happens to be a case that was referred to by Dr. Menon as ' peace of the grave '. I do not know anything about it. The reports of the officers received show that as far as the people are concerned, they do not fear any further incidents. If anything happens, we shall look into it.

" Reference was made to the setting on fire of some of the shops. There are two incidents of arson. It was pointed by Dr. Menon that in a particular place, out of the seven shops, six shops belonging to persons of a particular party were set fire to and only one shop escaped that incident."

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SRI M. KALYANASUNDARAM :—" Which is that particular party? "

* THE HON. SRI C. SUBRAMANIAM :—" Shops belonging to persons of the Praja Socialist Party were set fire to. But unfortunately in all these cases of arson, it is very difficult to prove the guilt of any particular person. We are unable to find out the truth when allegations and counter-allegations are made. So, one shop belonging to the Communist Party in another place has been set fire to. Therefore, it is a case of incident and counter-incident taking place. But unfortunately we could not get proof and that is why the Collector and the District Superintendent of Police had to visit the place personally. I may assure hon. Members that as far as the present position is concerned, there is nothing to worry about and certainly if any further incidents occur, the police will not hesitate to take further action.

" As for the transfer of the Sub-Inspector of the place concerned, in these cases, the man on the spot has to take decisions and I do not think it will be possible for the Government to interfere from here. Even in regard to transfers made for the purpose of seeing that certain peace is restored, even if it is not justifiable, we may have to make certain transfers so that the parties may be pacified to a certain extent. There is no aspersion cast on the behaviour of the Sub-Inspector; that Sub-Inspector is a person of high integrity and there is no question of his joining this party or that in discharging his duty and he has done as best as he could. If he has been transferred, it is no slur on him; for the purpose of restoring peace sometimes we have to take action by merely transferring the Sub-Inspector and others. It is only in that way the transfer has taken place. I may assure the House that the Government are watching the situation and there is no necessity to have any apprehensions that the situation is likely to deteriorate."

III.—BUSINESS ADVISORY COMMITTEE'S RECOMMENDATION—MOTION UNDER RULES 154 (1) AND 192.

MR. SPEAKER :—" I have to inform the House that the Business Advisory Committee met on the 28th February and the 1st March 1955 and considered the order in which the Demands for Grants should be taken up for voting and also the time to be allotted for each Demand. The recommendations of the Business Advisory Committee have already been circulated to the Members.

" The Hon. the Leader of the House will now move under rule 154 (1) and rule 192 of the Madras Assembly Rules that this House agrees with the recommendations of the Business Advisory Committee regarding the order in which the Demands for Grants are to be taken up and the time to be allotted for the discussion of each Demand."

AN HON. MEMBER :—" I have not received the circular."